

REMARKS

Applicants note that the Office Action mailed July 9, 2003 set an initial one (1) month period for response. Submitted herewith is a Petition under 37 C.F.R. § 1.136 for a three month extension of time and a request that our deposit account be charged for the requisite fee.

With the granting of this Petition, the time period in which to submit a timely response to the Office Action mailed, July 9, 2003 will be extended to Monday, November 10, 2003, since November 9, 2003 was a Sunday.

RESTRICTION BETWEEN GROUPS I, II AND III

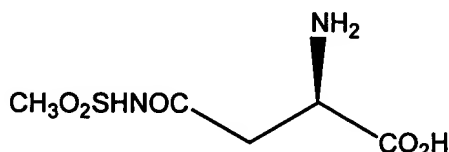
In the Office Action mailed July 9, 2003, the Examiner required restriction to one of the following inventions:

- Group I: Claims 1 to 24, drawn to a method of identifying compounds that bind to or modulate glutamate transporters;
- Group II: Claims 25 to 26, drawn to a compound identified by the above method; and
- Group III: Claim 27, drawn to a method of treatment.

In response to this restriction requirement, Applicants provisionally elect the invention of Group I with traverse. Applicants submit that the inventions of all of Groups I, II and III are examinable together without undue burden on the Examiner.

RESTRICTION TO A RECEPTOR COMPOUND

The Examiner, in the July 9, 2003 Office Action, has required that should Applicants provisionally elect the invention of Group I, then they must choose one "receptor compound". Since Applicants have provisionally elected the invention of Group I, in response to this requirement, Applicants provisionally elect the following compound which is depicted in Figure 6A:



Applicants request that the scope of examination be expanded to cover additional receptor compounds as appropriate.

ELECTION OF A TRANSPORTER

Applicants note that the Examiner has made the further restriction requirement to one of the following inventions:

- (A) The Inventions as they pertain to the GLAST transporter;
- (B) The Inventions as they pertain to the GLT1 transporter;
- (C) The Inventions as they pertain to the EAAT1 transporter; and
- (D) The Inventions as they pertain to the EAAT2 transporter.

In response to the above-noted further restriction requirement, Applicants provisionally elect the EAAT1 transporter with traverse. Again, this restriction requirement is traversed and Applicants submit that examination of the invention as it pertains to the specified transporters is possible without undue burden on the Examiner.

CONCLUSION

Applicants note that the Examiner made three restriction requirements and/or election requirements related to their invention as originally claimed. Applicants reserve their rights to pursue the subject matter of the non-elected inventions and/or subject matter deemed withdrawn from consideration by the Examiner because of their provisional elections in continuing and/or divisional applications, as appropriate.

If the Examiner believes a telephonic interview would expedite prosecution of the present application, she is encouraged to telephone the undersigned Applicants' attorney.

If the fee submitted in connection with this response is incorrect or if any other fee is due in connection with this response, please charge any such fee or credit any overpayment to Deposit Account No. 50-2212.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By



Suzanne L. Biggs

Registration No. 30,158

Dated: November 10, 2003

Attorney Docket No. 014655-0304818

Address all correspondence to:

11682 El Camino Real, Suite 200

San Diego, CA 92130

Tel: (858) 509-4095

Fax: (858) 509-4010